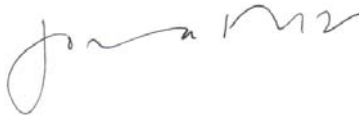


11th May 2010

Dear Sir/Madam

You are hereby respectfully summoned to attend the Annual Meeting of the Council of the Borough of Brentwood to be held in the Council Chamber, Town Hall, Brentwood, on **WEDNESDAY, 19TH MAY 2010 at 7 pm** to consider the following business.

Yours faithfully

A handwritten signature in dark ink, appearing to be 'John Smith', written in a cursive style.

Chief Executive

### **AGENDA**

1. Apologies for Absence.
2. Mayor's Announcements and Presentations (if any).
3. Election of Mayor: To elect a Mayor of the Borough for the year 2010/2011 to hold office until his or her successor becomes entitled to act as Mayor.
4. Appointment of Deputy Mayor: To appoint a Deputy Mayor of the Borough for the year 2010/2011 to hold office until immediately after the election of the Mayor of the Borough at the Annual Meeting of the Council in 2011.

5. Leader of the Council: To designate a “Leader of the Council”. It is the Council’s usual practice that the Leader of the majority political group on the Council shall be designated “Leader of the Council”.

The Council is also invited to designate a “Deputy Leader of the Council”.

6. Committee Structure and Calendar: A report is attached at [Appendix A](#).
7. Appointment of Policy Board, Executive Panels and Committees.
  - (a) To review and determine the allocation of seats in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990 and to determine how many voting Members each shall consist of. ([Appendices B, C and 1](#)).
  - (b) To appoint the Policy Board, Executive Panels and Committees for the ensuing year of the Council ([Appendix 2](#))
  - (c) To receive the wishes of each Group about who is to be appointed to the seats allocated to them ([Appendix 3](#))
8. Standing Groups and Boards: To appoint for the ensuing year. ([Appendix 4](#)).
9. Appointment of Chairman and Vice-Chairman of the Policy Board, Executive Panels, Committees and Standing Groups Boards etc. from those appointed to them ([Appendix 5](#)) .
10. Members’ Allowances 2010/2011: Members are invited to consider the report attached as [Appendix 6](#).
11. Memorials or Petitions: Presentation of Memorials or Petitions (if any) by a Member in accordance with Standing Order No. 18.
12. Questions: To answer questions (if any) pursuant to Standing Order No. 9, of which previous Notice has been given to the Chief Executive.
13. Day and Hour of Meetings: To fix the day and hour of meetings of the Council, the Policy Board, Executive Panels and Committees for the ensuing year. ([Appendix 7](#))
14. Appointment of Representatives on Outside Organisations: The Council is asked to make the appointments to the various Outside Organisations ([Appendix 8](#)).
15. Notices of Motion: To consider Notices of Motion of which notice has been given to the Chief Executive pursuant to Standing Order No. 6.
16. Any items which the Mayor of the Borough decides are urgent. (In respect of any items raised containing ‘exempt information’ or ‘confidential information’, the

Council may decide to exclude the public by passing the appropriate Resolution).

To the Mayor and Members of Brentwood Borough Council

Town Hall  
Brentwood, Essex

11<sup>th</sup> May 2010

**BRENTWOOD BOROUGH COUNCIL**

**ANNUAL COUNCIL MEETING**

**19<sup>TH</sup> MAY 2010**

**LIST OF APPENDICES AND REPORTS**

<u>Item No.</u>	<u>Appendix No.</u>	<u>Subject</u>
6	A	Committee Structure and Calendar
7	B	Election Results
7	C	Political Groups on the Council
7	1	Allocation of seats
	2	Appointment of Policy Board, Executive Panels and Committees
	3	Allocation of seats
8	4	Standing Groups and Boards
9	5	Appointment of Chairmen and Vice-Chairmen
10	6	Members' Allowances 2010/11
13	7	Draft Calendar of Meetings
14	8	Appointment of Representatives on Outside Organisations.
	9	Background Documents

**BRENTWOOD BOROUGH COUNCIL**  
**REPORT OF THE CHIEF EXECUTIVE**  
**TO THE ANNUAL COUNCIL MEETING**  
**19<sup>TH</sup> MAY 2010**

**6. REVIEW OF COMMITTEE STRUCTURE AND CALENDAR**

<b>PURPOSE OF REPORT</b>	To review the Council's current political management arrangements.
<b>CORPORATE OBJECTIVES</b>	<b>Open, Responsible and Accountable Government –</b> <i>“The Council will ensure that its decision -making structures are effective, clear and transparent, and that there is effective and regular consultation with residents, business and other interest groups”</i>
<b>IMPLICATIONS</b>	
• <b>Legal</b>	The Council is required to keep its Constitution under review under the provisions of the Local Government Act 2000.
• <b>Finance</b>	Implementation of the proposals would produce savings.
• <b>Staff</b>	There are no additional staffing implications
• <b>Risk Management</b>	There are no additional risk management implications
• <b>Asset Management</b>	There are no additional asset management implications.
• <b>Health &amp; Safety</b>	There are no additional health and safety implications.
• <b>Equality and Diversity</b>	There are no equality or diversity implications
<b>ACTION REQUIRED</b>	Members are requested to agree to the proposed revised committee structure and calendar. .

At the request of the Leader of the Council, work has been undertaken on a review of the Council's current political management.

In reviewing the current committees structure and calendar the main objectives were:

1. To reduce the number of committees

2. To streamline the committees so they are analogous to services, giving a synergy to the Member and Officer structures
3. To ensure that meetings are held whenever possible when the Council business requires them.

Currently there are ten boards/committees/panels. These do not relate particularly to the officer structure nor to Council budgets and it is therefore proposed to reduce the number of committees by two down to a total of eight.

The Planning and Licensing Committees will merge and the Health, Housing and Leisure Panel and the Environment and Parking Management Panel will become the Environment, Housing and Community Panel with car parking being included within the remit of the Highways Panel.

In addition, these proposals will streamline the committees under services as can be seen below:

Executive Director – Resources (Jacqui Robins)

<b>Governance</b>	<b>Resources</b>	<b>Business Improvement</b>
Overview & Scrutiny	Audit Committee	Business & Economic Development
Standards Committee	Policy, Performance and Resources	

Executive Director – Customer Services (Alison Crowe)

<b>Planning &amp; Regulation</b>	<b>Sustainable Communities &amp; Public Places</b>
Planning and Licensing Committee	Environment, Housing and Community Panel
Highways Panel	

### **2010/11 Calendar**

For many years the Council has had five cycles of meetings during the Council year. For 2010/11 however, it is proposed that the Council reduces to four cycles to enable meetings to focus on the most important issues.

**RECOMMENDED:** That Members agree to the proposals to revise the committee structure and the calendar of meetings for 2010/11.

**DECIDED:**

# BRENTWOOD BOROUGH COUNCIL BOROUGH COUNCIL ELECTION

Date: 6th May 2010

BOROUGH WARD	Candidates	Description	Votes Cast
<b>Brentwood North</b>	Mamtaz Beekoo	The Labour Party Candidate	271
Electorate 4598	Philip Christopher Mynott	Liberal Democrat	1527 Elected
Seats 1	Russell Stuart Quirk	The Conservative Party Candidate	1327
Ballot Papers 3142			
% Poll 68.33			
<b>Brentwood South</b>	Gareth Paul Barrett	The Labour Party Candidate	544
Electorate 4289	Trevor Keith Ellis	Liberal Democrat	846
Seats 1	Cheralyn Lewis	The Conservative Party Candidate	1221 Elected
Ballot Papers 2886	Wilfred Southgate	UK Independence Party	199
% Poll 67.28	Graeme John Syed	Green Party candidate	63
<b>Brentwood West</b>	Nigel John Clarke	Liberal Democrat	1579 Elected
Electorate 5014	Peter John Mayo	The Labour Party Candidate	273
Seats 1	Karen Ann Sheehan	The Conservative Party Candidate	1578
Ballot Papers 3448			
% Poll 68.77			
<b>Brizes &amp; Doddington</b>	Richard Alan Michael Davies	Liberal Democrat	974
Electorate 4694	Yvonne Jeanette Maguire	UK Independence Party	362
Seats 1	Keith Parker	The Conservative Party Candidate	1790 Elected
Ballot Papers 3340	Barrie Ewart Wickerson	The Labour Party Candidate	209
% Poll 71.15			
<b>Herongate, Ingrave &amp; West Horndon</b>	Linda Alma Golding	The Conservative Party Candidate	1403 Elected
Electorate 2948	Robert George Gow	The Labour Party Candidate	175
Seats 1	Linda Doreen Price	Liberal Democrat	609
Ballot Papers 2203			
% Poll 74.72			
<b>Hutton Central</b>	Alan Ernest Braid	The Conservative Party Candidate	1409 Elected
Electorate 2875	David Charles Burn	The Labour Party Candidate	175
Seats 1	June Dorothy Spencer	Liberal Democrat	507
Ballot Papers 2104			
% Poll 73.18			
<b>Hutton East</b>	Claire Denise Cornell	The Conservative Party Candidate	1057 Elected
Electorate 2850	Cornelius Richard Maxey	The Labour Party Candidate	221
Seats 1	Susan Lesley Palmer	Liberal Democrat	694
Ballot Papers 1983			
% Poll 69.58			
<b>Hutton South</b>	Roger Charles Hirst	The Conservative Party Candidate	1495 Elected
Electorate 3083	Sheila Ruth Maxey	The Labour Party Candidate	184
Seats 1	Christine Janie Seymour	Liberal Democrat	445
Ballot Papers 2298	David Watt	UK Independence Party	164
% Poll 74.53			
<b>Ingatestone, Fryerning &amp; Mountnessing</b>	Jacqueline Margaret Anslow	Liberal Democrat	971
Electorate 4735	Janette Pauline Gulleford	UK Independence Party	372
Seats 1	Richard Harrison	The Conservative Party Candidate	1894 Elected
Ballot Papers 3565	Jane Elizabeth Winter	The Labour Party Candidate	308
% Poll 75.29			

BOROUGH WARD		Candidates	Description	Votes Cast
<b>Pilgrims Hatch</b>		Barry Roy Aspinell	Liberal Democrat	1663 Elected
Electorate	4575	Adrianus Coolbergen	The Conservative Party Candidate	994
Seats	2	Victoria Frances Davies	Liberal Democrat	1237 Elected
Ballot Papers	3226	Kenneth Arnold Gulleford	UK Independence Party	330
% Poll	70.15	John Kerslake	The Conservative Party Candidate	766
		Susan Margaret Kortlandt	The Labour Party Candidate	207
		Michele Anne Wigram	The Labour Party Candidate	196
<b>Shenfield</b>		Malcolm Featherston	Liberal Democrat	1175
Electorate	4236	Lionel Martin Lee	The Conservative Party Candidate	1937 Elected
Seats	1	Juliette Morrissey	The Labour Party Candidate	216
Ballot Papers	3347			
% Poll	79.01			
<b>South Weald</b>		Tim Nicholas Barrett	The Labour Party Candidate	58
Electorate	1412	Ann Coe	The Conservative Party Candidate	602 Elected
Seats	1	Nina Rose Cutbush	Liberal Democrat	378
Ballot Papers	1045			
% Poll	74.00			
<b>Warley</b>		Kim Michele Burelli	English Democrats – "Putting England First!"	144
Electorate	4464	Richard Dobson Margrave	The Labour Party Candidate	291
Seats	1	Janet Irene Pound	The Conservative Party Candidate	1512 Elected
Ballot Papers	3230	Cyril Denis Young	Liberal Democrat	1267
% Poll	72.35			



## APPENDIX C

**BRENTWOOD BOROUGH COUNCIL**  
**REPORT OF THE CHIEF EXECUTIVE**  
**TO THE ANNUAL COUNCIL MEETING**  
**19<sup>TH</sup> MAY 2010**

### **POLITICAL GROUPS ON THE COUNCIL**

<b>PURPOSE OF REPORT</b>		To advise of receipt of notices under Local Government (Committees and Political Groups) Regulations 1990
<b>CORPORATE OBJECTIVES</b>		• <b>Open, Responsive and Accountable Government</b> <b>Core value</b> - <i>"The Council will ensure that its decision-making structures are effective, clear and transparent..."</i>
<b>IMPLICATIONS</b>		
•	<b>Legal</b>	The relevant legal provisions are contained in the Local Government and Housing Act 1989 and Local Government (Committees and Political Groups) Regulations 1990.
•	<b>Finance</b>	There are none in relation to this report.
•	<b>Staff</b>	There are no additional staffing implications.
•	<b>Risk Management</b>	There are no additional risk management implications.
•	<b>Asset Management</b>	There are no additional asset management implications..
•	<b>Health &amp; Safety</b>	There are no additional health and safety management implications.
•	<b>Equality and Diversity</b>	There are no additional equality and diversity implications.
<b>ACTION REQUIRED</b>		To note the receipt of the notices.

The Chief Executive has received the following notices under the Local Government and Housing Act 1989 (Local Government (Committees and Political Groups) Regulations 1990:-

Notice of Wish to Join a Political Group and request for review of arrangements.

Name of Member  
N Clarke

Political Group  
Liberal Democrat

Mrs C Cornell  
Mrs V Davies  
PC Mynott  
Miss C Lewis

Conservative  
Liberal Democrat Group  
Liberal Democrat Group  
Conservative Group

Notice of Change of Leader and Deputy Leader of Political Group

Deputy Leader of the Conservative Group Cr Hirst  
Leader of Liberal Democrat Group Cr Kendall  
Deputy Leader of Liberal Democrat Group Cr B Aspinell

The Council is asked to note receipt of these notices.

DECIDED:

**BRENTWOOD BOROUGH COUNCIL**  
**REPORT OF THE CHIEF EXECUTIVE**  
**TO THE ANNUAL COUNCIL MEETING**

**19<sup>TH</sup> MAY 2010**

**ITEM 7(a)**

**REVIEW OF THE ALLOCATION OF SEATS TO THE POLITICAL GROUPS  
ON THE COUNCIL**

<b>PURPOSE OF REPORT</b>	To review and adopt the allocation of seats to the political groups on the Council and appoint the Policy Board, Executive Panels and Committees for the ensuing year.
<b>CORPORATE OBJECTIVES</b>	<b>Open, Responsive and Accountable Government</b> <b>Core value</b> - <i>"The Council is committed to enhancing local democracy, by ensuring that decision-making structures are effective, clear and transparent....."</i>
<b>IMPLICATIONS</b>	
• <b>Legal</b>	The relevant legal provisions are contained in the Local Government and Housing Act 1989.
• <b>Finance</b>	There are no additional financial implications.
• <b>Staff</b>	There are no additional staffing implications.
• <b>Risk Management</b>	The Council is obliged to review the allocation of seats to the political groups at the meeting of Annual Council or as soon as possible hereafter.
• <b>Asset Management</b>	There are no additional asset management implications.
• <b>Health &amp; Safety</b>	There are no additional health and safety implications.
• <b>Equality and Diversity</b>	There are no equality or diversity implications.
<b>ACTION REQUIRED</b>	To review and approve the allocation of seats to the political groups on the Council and appoint the membership of the Policy Board, Executive Panels and Committees for the ensuing year.

This report reviews the allocation of seats to the Political Groups on the Council.

Section 15 of the Local Government and Housing Act 1989, places a duty on the Council to review the allocation of seats to the political groups at the meeting of Annual Council or as soon as possible thereafter.

Attached to this report is a political balance proposal for the allocation of seats to the political groups. Members will note that it is proposed to leave the Staff Appointments Committee and the Staff Appeals Committee to be

appointed as and when required. With regard to the Standards Committee, this falls outside the Political Balance requirements. Members will recall that the Licensing/Appeals Committee was adjusted to meet the requirements of the Licensing Act 2003 to provide a pool of Members any three of which sitting together can form a Sub-Committee.

Set out below is the allocation of seats to the political groups on the Council. The minimum number of Members to constitute a political group is two.

#### Calculation of the Overall Entitlement

For the purpose of this report reference to Committees and Sub-Committees applies to the Policy, Performance and Resources Board and Executive Panels under the Council's political management arrangements.

The new calculation of the total entitlement of seats to each political group is based on the total number of seats on all the Committees and Sub-Committees (if any) being divided by the total membership of the Council and then multiplying that figure by the number of group members. The calculation is as follows:

$77 \div 37 \times 27$	$=$	56	Conservative
$77 \div 37 \times 8$	$=$	17	Liberal Democrat
$77 \div 37 \times 1$	$=$	2	Labour
$77 \div 37 \times 1$	$=$	2	Independent

#### Calculation of Seats on Committees

Committees with a membership of 15:

	<u>Conservative</u>	<u>Liberal Democrat</u>	<u>Labour</u>	<u>Independent</u>
Planning Development Control and Licensing	12	2	1	0

Committees with a membership of 11:

	<u>Conservative</u>	<u>Liberal Democrat</u>	<u>Labour</u>	<u>Independent</u>
Policy, Performance and Resources Board	8	2	1	0
Environment, Housing and Community Panel	8	2	0	1
Business and Economic Development Panel	7	3	0	1
Highways Panel	8	3	0	0

Committee with a membership of 5:

	Conservative	Liberal Democrat	Labour	Independent
Audit Committee	3	2	0	0

Committee with BBC membership of 2:

	Conservative	Liberal Democrat	Labour	Independent
Joint Committee for Country Parks and Countryside Estate	2	0	0	0

The total entitlement figure is affected by the 'majority requirement', the effect of which is to ensure that the majority of seats on Committees etc. are allocated to the majority group on the Council. Therefore in allocating seats between the political groups there can be some variance with the total entitlement figure.

The Council is required to consider the 'majority requirement' etc. as far as practicable. This allows for the variations in the number of members of groups on certain committees.

### Summary

Members are invited to review and adopt the allocation of seats to political groups on the Council and appoint the Policy, Performance and Resources Board, Executive Panels and Committees for the ensuing year.

### DECIDED:

## REVISED POLITICAL BALANCE PROPOSAL 2010/11

Committees	Membership	Conservative	Liberal Democrat	Labour	Independent
Policy, Performance and Resources Board	11	8	2	1	
Overview and Scrutiny Committee	11	8	3		
Joint Committee for Country Parks and Countryside Estate	2	2			
Environment , Housing and Community Panel	11	8	2		1
Planning Development Control and Licensing Committee	15	12	2	1	
Audit Committee	5	3	2		
Highways Panel	11	8	3		
Business and Economic Development Panel	11	7	3		1
	<hr/> 77	<hr/> 56	<hr/> 17	<hr/> 2	<hr/> 2

**Total Entitlement:**  $77 \div 37 \times 27 = 56$  (56.19) Conservative  
 $77 \div 37 \times 8 = 17$  (16.65) Liberal Democrat  
 $77 \div 37 \times 1 = 2$  ( 2.08) Labour  
 $77 \div 37 \times 1 = 2$  (2.08) Independent

- Note:**
- Standards Committee is outside Political Balance Requirements
  - Staff Appeals and Staff Appointments Committee are to be appointed as and when required.
  - \*3. In order to meet the requirements of the liquor licensing legislation which came into effect in 2006, the Planning Development Control and Licensing Committee provides a pool of Members.

## **APPENDIX 2**

### **THE POLICY, PERFORMANCE AND RESOURCES BOARD, EXECUTIVE PANELS AND COMMITTEES OF THE COUNCIL**

#### **STATEMENT AND DESCRIPTION**

Currently under Section 101 of the Local Government Act 1972, the Council appoints four 'Policy Committees' and one 'Regulatory Committee' for the discharge of the functions of the Council.

The four 'Policy Committees' comprise the Policy, Performance and Resources Board and three 'Executive Panels' namely the Environment, Housing and Community Panel, Business and Economic Development Panel and Highways Panel.

Councillors are appointed to the Policy, Performance and Resources Board, Executive Panels and Committees at the Annual Meeting of the Council.

The membership of the Policy, Performance and Resources Board and Executive Panels is limited to 11 Members or such other number as may be determined at the Annual Meeting of the Council.

There is one regulatory Committee dealing with Planning Development Control and Licensing which has a membership of fifteen. Any three Members sitting together can form a Licensing/Appeals Sub-Committee to determine matters relating to Licensing.

The numbers of Members of these Committees may be varied at the Annual Meeting of the Council.

The Policy, Performance and Resources Board, Executive Panels and Committees are politically balanced, i.e. the membership is in proportion to the seats on the Council held by each political group.

The Full Council and the Policy, Performance and Resources Board provide the overall strategic focus for the Authority.

This ensures that only the Policy, Performance and Resources Board (and where necessary the Full Council) is involved in the determination of policy across all functions and services. This provides an effective separation of policy and implementation roles and enables a clearer and sustained central focus on the central policy function.

Once policy has been established by the Policy, Performance and Resources Board/Council it is for the other Panels and Committees to ensure that agreed policy is implemented and other relevant decisions are made in accordance with the policy laid down centrally.

The Policy, Performance and Resources Board and Executive Panels have full authority to act within their terms of reference and to incur expenditure within approved budgets, except for those matters which are reserved to the Full Council.

The Policy, Performance and Resources Board and Executive Panels have the ability to make 'in-year' adjustments to any Plan or Strategy which has been adopted by the Council.

Meetings of the Policy, Performance and Resources Board and Executive Panels are conducted in accordance with the procedures contained in the Council's Standing Orders for the Regulation of the Proceedings and Business of the Council or such other procedures as may be adopted by the Council.

### **POLICY, PERFORMANCE AND RESOURCES BOARD**

The terms of reference for the Policy, Performance and Resources Board and Executive Panels are as follows:

#### **Section A - Management and Review**

1. To guide the Council in the formulation of its corporate plan of objectives and priorities and for that purpose to recommend to the Council such forward programmes and other steps as may be necessary to achieve those objectives, either in whole or in part. For that purpose to consider the broad social, environmental and economic needs of the community and matters of comprehensive significance to the area including the contents of Structure Plans and Local Plans.
2. Without prejudice to the duties and responsibilities of the Executive Panels and Committees to review the effectiveness of all of the Council's work and standards and the levels of service provided. To identify the need for new services and to keep under review the necessity for existing services.
3. To report to the Council upon new policies or changes in policies.
4. To determine issues surrounding the interpretation of corporate policies leading to their overall implementation.
5. To ensure that the organisation and management processes of the Council are designed to make the most effective contribution to the achievement of



the Council's objectives. To keep them under review in the light of changing circumstances, making recommendations as necessary for change in either the political management or departmental structure, or the distribution of functions and responsibilities.

6. To co-ordinate the capital projects of Executive Panels and Committees and from time to time to recommend to the Council the capital programme.
7. Regularly to review progress in the planning and execution of capital projects and to recommend any necessary variation of the capital programme as the result of such regular review.
8. To progress actions arising from the Crime & Disorder Reduction Strategy which are within the remit of the Board.
9. To consider issues, give guidance and co-ordinate the Council's approach to the Comprehensive Area Assessment and other performance/inspection regimes.

#### **Section B - Finance and Income**

1. To be responsible for the overall financial control of the Council's affairs within approved estimates.
2. To recommend to the Council estimates of annual income and expenditure (and where necessary supplementary estimates) for approval.
3. To have regard to all relevant current legislation including but not exclusively the Local Government Finance Act 1988, Local Government and Housing Act 1989, Local Government Finance Act 1992, Local Government Finance Act 2003 and other Council Tax regulations, rating and valuation legislation and including recommendations on the Council Tax base, Council Tax levels, the extent to which if any S.35 of the 1992 Act shall apply, and amounts to be calculated in accordance with the 1992 Act, rents for Council dwellings, garages, car spaces and car ports, and borrowing limits.
4. Local Government and Housing Act 1989 - Determinations under Part IV of the Act.
5. Capital Finance issues under the Local Authorities (Capital Finance and Accounts) (England) Regulations 2003.

## **Section C - Council and General Administration**

1. To advise on and recommend to the Council any amendments to the Council's Standing Orders, Standing Orders (Contracts) and Financial Regulations.
2. To advise and recommend to the Council the promotion of or opposition to proposed legislation.
3. To advise and recommend to the Council proposals relating to status of the Borough and/or variation of boundaries of electoral divisions, wards and polling districts and all other electoral matters.
4. Byelaws, in respect of any matters not within the terms of reference of any other Panel or Committee.

## **Section D - General Purposes**

1. Supervision of collection of all income, granting of remissions and writing off of debts as irrecoverable.
2. Insurance and negotiations of claims by or against the Council.
3. Appointment of representatives on outside organisations during the Council year.
4. All legal matters including the institution of or defence of legal proceedings not falling within the terms of reference of any Executive Panel or Committee.
5. The promotion of positive public relations and publicity.
6. Matters not within the control of any other Executive Panel or Committee unless or until such matters are referred to an Executive Panel or Committee by the Council.

## **Section E - Economic Development**

To consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countywide or regional economic development initiatives.

Generally to maintain a special interest in employment promotion.

## **Section F - Planning Policies and Forward Planning**

1. To review, consider and propose planning policies, and related advice, including the preparation of the Brentwood Borough Local Plan, the Local Development Scheme and the content of Structure Plans and neighbouring authorities Local Plans.
2. To consider and recommend the Council's response to consultation by Essex County Council, Government Departments and outside organisations/bodies on planning policy matters.

## **Section G - Brentwood Town Centre / Brentwood Borough Shopping Centres**

1. To consider matters relating to Council schemes/projects within the general framework of the Council's policies and to submit recommendations outside such policies.
2. To consider and determine matters relating to the promotion, maintenance and enhancement of the vitality and viability of shopping centres within the Borough.

## **Section H - Proposed Major Developments**

Without prejudice to subsequent consideration by the Planning Development Control and Licensing Committee, to consider and make comments on proposed major developments, and where appropriate to consider and make recommendations on developments with policy implications within the Borough.

## **Section I - Land**

1. The acquisition of land in advance of requirements for the benefit, improvement or development of the Borough.
2. Disposal of land (including by lease) surplus to the requirements of any Executive Panel or Committee.
3. Appropriation of land surplus to the requirements of an Executive Panel or Committee.
4. Management of land and buildings not within the control of any Executive Panel or Committee.
5. Temporary Markets under Sec. 37 of the Local Government (Miscellaneous Provisions) Act 1982

## **Section J - Personnel**

1. Staff establishment and general policy relating to appointment, rates of pay, conditions of employment, training, welfare and health and safety of all Council staff and employees. (Appeals against dismissal are considered and decided by the Staff Appeals Committee.)
2. Provision and overall control of general office accommodation.
3. Car allowances and car purchase loans.
4. Negotiations with Trade Unions and Staff Forums.

## **Section K - Contracts, Equipment and Services**

To consider the specification and supervision requirements of contracts relating to works to the Town Hall and other public buildings under the control of the Council not being within the purview of an Executive Panel or Committee.

To consider the Council's requirements for equipment and services.

## **Section L - Health and Safety**

To promote, maintain and monitor health safety and welfare of all Council staff.

## **Section M - Audit and Performance Review**

To review the effectiveness of the Council's operations and service provision.

## **Section N – Community Safety**

To encourage and support the development of community safety and crime and disorder reduction initiatives including the maintenance and development of the Council's CCTV system.

## **Section O - Gypsies**

1. To consider proposals in relation to the provision of a site(s) for gypsy travellers and to make recommendations thereon.
2. To authorise appropriate action to deal with unauthorised encampments.

## **ENVIRONMENT, HOUSING AND COMMUNITY PANEL**

### **Section A - Environmental Responsibilities**

To approve, authorise and implement those works or actions, promotional campaigns and the like from time to time agreed for the general improvement of the physical environment such as the following matters:-

1. To enhance the environment through a programme of planting and other landscaping schemes.
2. To promote schemes for the improvement of derelict areas of land.
3. Repair and maintenance of listed buildings.
4. To promote the enhancement and improvement of designated conservation areas.
5. To uphold and promote the Council's Environmental Policy.

### **Section B - Water**

Take all such steps as are considered appropriate for monitoring the wholesomeness and sufficiency of water as supplied or available to the consumer, including the purity of water used in the preparation of food, private well water supplies and in swimming pools used by the public.

### **Section C - Pollution**

1. The creation and supervision of smoke control areas. The control of chimney heights, of emission of smoke from chimneys and of smoke from bonfires (domestic, commercial, agricultural or industrial).
2. Monitoring the emission of sulphur dioxide and other gases in the air and such other chemical emission or deposit as may pose a risk to health or the environment, including radioactive materials.
4. Monitoring and control of actual or suspected contamination of soil.
5. Environmental Protection Act 1990 -  
Part 1 (Integrated Pollution Control)  
Part 3 (Statutory Nuisances and Clean Air)  
Part 5 (Radio-Active Material)

Section 143 - Public Register of possible contaminated land  
Sections 149 to 151 (incl.) (Control of Dogs)  
Section 152 (Burning of Straw and Stubble etc.)

#### **Section D - Noise**

1. Domestic, commercial, industrial, construction and other noise complaints, and the prevention and abatement of any nuisance arising therefrom.
2. The consideration of the creation of noise abatement zones.

#### **Section E - Cemeteries and Burial Grounds**

Disposal of the dead including provision and maintenance of cemeteries and supervision of exhumations

#### **Section F – Nuisances**

1. To have regard to dust, fume and smell emissions from industrial, agricultural, commercial and domestic premises and take appropriate action to abate.
2. Private drainage, cesspools, sewage treatment plants, polluted ponds, pools and watercourses and determine what action to take.
3. The keeping of animals, birds and other creatures.

#### **Section G - Pests**

1. Advice concerning the treatment of pests on domestic and commercial premises.
2. The disinfection and disinfestations of verminous premises, clothing and persons

#### **Section H - Community Liaison, Promotional Events and Activities**

To promote seminars, events, activities, schemes, campaigns and exhibitions in order to advise, assist, educate or inform the general public or specific groups on matters relating to environmental care and protection and to otherwise liaise and support activity with voluntary services and other outside agencies for the benefit of the community.

## **Section I - Borough Council Technical Services Functions**

1. Collection of refuse.
2. Control of Council's depots, vehicles and plant.
3. Road Traffic Act 1988, section 45 - testing stations.
4. Road Traffic Regulation Act 1984, sections 99 to 103 - removal of vehicles from highways.
5. Refuse Disposal (Amenity) Act 1978.
6. Environmental Protection Act 1990 - Part 2 (Waste Disposal Regulation) and Part 4 (Litter etc. - including control of Shopping Trolleys and litter in off street car parks).
7. National Parks and Access to the Countryside Act 1949 section 57(3) (Prosecution of offences of displaying on footpath notices deterring public use).
8. Cesspool emptying.
9. Public conveniences.
10. Residual sewerage services.
11. Land drainage.
12. Sewerage.

## **Section J - Building Control**

Those statutory duties and functions of the Council as set out in statute law and any other such matters that are considered necessary and appropriate from time to time for:-

1. Securing the health, safety, welfare and convenience of persons in or about buildings and of others who may be affected by buildings or matters connected with buildings;
2. The safety of the public in relation to vacant property and conditions relating to the safety, health and welfare arising from the demolition of buildings and structures. The condition of land and open sites as are not the responsibility of the Planning Committee.

3. Furthering the conservation of fuel and power, and
4. Preventing waste, undue consumption, misuse or contamination of water; and to consider the design and construction of buildings and the provision of services, fittings and equipment in or in connection with buildings as this relates to (1), (2) and (3) above and to further include the following:-

relaxations, short lived materials, means of escape, means of access, testing and sampling of materials, the demolition of buildings, dangerous structures and excavations and other associated matters.

5. Building Regulations, and any other statutory provisions requiring the Council to deal with the approval or otherwise of plans, certificates and notices submitted for the development of land and buildings including the following:-

Essex County Council Act 1984  
Public Health Acts  
Clean Air Acts  
Building Act 1984.

## **Section K - Crime & Disorder Strategy**

To progress actions arising from the Crime & Disorder Strategy which may be referred to the Panel for consideration.

## **Section L - Housing**

1. Those statutory duties and functions of the Council as set out in statute law and any other such matters that are considered necessary and appropriate from time to time to deal with the Council's strategic responsibilities towards the public, voluntary and private housing sectors, including the following:-
  - (a) Statutory action including duties derived from Housing Acts, Rent Acts, and Landlord and Tenant Acts.
  - (b) Assessment of future requirements to meet housing needs in the Borough and submission of proposals to secure adequate reservation of sites to meet demand.
  - (c) Advice and assistance to homeless persons.
  - (d) Pursuing the Council's Housing Strategy and house building programme, including:-
    - (i) Promoting partnership schemes with housing associations, building societies and groups, together with building firms.
    - (ii) Optimising co-operation with other housing agencies and consortia.



- (iii) Design and types of new Council dwellings and other related buildings and the layout of housing sites.
- (iv) Proposals for the provision of housing by housing associations and housing societies.
- (v) The monitoring of other local authority estates in the Borough.
- (vi) The monitoring of private rented accommodation in the Borough including:-
  - leasehold and sheltered dwellings
  - houses in multiple occupation
  - hostels
  - caravan sites
- (e) Promoting the regulation, control and environmental improvement of all Council housing land.
- (f) Promoting the regulation and control of all Council garages, hardstandings (including hardstandings in front gardens), shops and commercial premises, (including property required for development and used temporarily for housing purposes).
- (g) Monitoring and overseeing rent collection and arrears recovery including the power, in cases which it deems appropriate, to authorise the writing off as irrecoverable arrears of former tenants where recovery is not possible or inappropriate.
- (h) Promotion of housing advice and consultation with tenants (including Brentwood Housing Handbook).
- (i) Repair, maintenance and improvement of Council owned dwellings, garages, hardstandings, shops and commercial premises.
- (j) Adaptations/aid for disabled Council tenants.
- (k) Monitoring housing waiting lists and the allocation of tenancies.
- (l) Monitoring the Council's register of lodgings.
- (m) Administering the Council's under-occupation allowances scheme.
- (n) Monitoring support lending arrangements with building societies.
- (o) Promoting the Council's shared ownership scheme.
- (p) Pursuing the sale of Council houses.
- (q) Monitoring the administration of housing benefits.
- (r) Facilitating the renovation and adaptation of houses by grant (including grants for the provision of separate water supplies) and, in appropriate cases, by improvement loans, and the provision of advice and guidance through a "staying put" agency.
- (s) Abatement of overcrowding.
- (t) Enforcing the provision of basic amenities (inside water closet etc.) in houses.
- (u) Enforcing the provision of amenities, adequate space and means of escape in case of fire, in houses in multiple occupation.
- (v) Enforcement of the repair of unfit or defective houses.
- (w) Facilitating the demolition or closure of unfit houses.
- (x) Promoting and pursuing Brentwood emergency communication scheme.

### **Section M - Food**

1. The Control of conditions for the production, storage, distribution, preparation and sale of food and the issue of such licences and registrations as are appropriate.
2. Action relating to unsound food and investigation of complaints relating to unsatisfactory conditions of food including food sampling and testing.
3. The promotion and operation of food hygiene training courses.

### **Section N - Communicable Disease**

1. The investigation and control of cases of infectious and communicable disease and food poisoning.
2. The disinfection and disinfestation of premises, clothing and furniture.

### **Section O- Health and Safety**

1. The enforcement of provisions relating to safe and healthy conditions in places of work, together with the investigation of accidents and the prevention of hazards to the public in or from such places that are the enforcement responsibility of the local authority.
2. The supervision and enforcement on matters relating to asbestos and other hazardous substances where enforcement is the Council's responsibility.
3. The promotion and operation of training courses in health and safety matters.

### **Section P - Home and General and Consumer Protection**

The promotion of home and garden safety and such other matters relating to the safety, health and welfare of the general public not covered by other legislation and to exercise an overview on consumer protection issues and to co-operate with other bodies to further strengthen awareness and good practices within the Borough.

### **Section Q - Community Liaison, Promotional Events and Activities**

To promote seminars, events, activities, schemes, campaigns and exhibitions in order to advise, assist, educate or inform the general public or specific groups on

matters relating to environmental care and protection, public health and general health safety and welfare and to otherwise liaise and support activity with voluntary services and other outside agencies for the benefit of the community.

### **Section R - Health Authority Liaison and Co-ordination**

To pursue continued involvement with the Health Authority, the consultative procedures on all issues relating to the Borough and its residents and to consider representations which should, from time to time, be submitted to protect the interests of the Health Service for the area generally.

### **Section S - Care in the Community**

To consider how the Council can develop an enabling role which recognises the need for caring in the community including liaison with and support and co-ordination of voluntary organisations and other agencies with the objective of matching resources to needs.

### **Section T- Leisure and Cultural Services**

1. To consider and co-ordinate the Council's leisure and cultural initiatives including:-
  - (a) The Brentwood Centre
  - (b) Management of indoor sports facilities.
  - (c) Golf course supervision and regulation.
  - (d) Capital grants to sports organisations.
  - (e) Leases of sports grounds or playing fields to local sports clubs.
  - (f) Provision and management of allotments.
2. Promotion and encouragement of Arts development and other Heritage initiatives within the Borough including liaison with but not exclusively.
  - (a) Brentwood Theatre Trust
  - (b) Arts Council
  - (c) Town Twinning Associations
  - (d) Essex Youth Orchestra
  - (e) Local schools and colleges
  - (f) Brentwood Cathedral
3. To progress the Essex Partnership Approach with Essex County Council to undertake the management of local libraries to integrate with local community requirements and leisure programmes.
4. To encourage and support the development of museums in the Borough.
5. To promote and encourage support community arts events.

6. Capital grants to arts organisations.
7. To receive and consider reports relating to youth matters.
8. Play leadership and play areas.
9. Management of Old House, Hutton Parish Hall, Hutton Poplars Pavilion, Poplars Hall, Keys Hall, Bishops Hall Park Community Buildings, Tipps Cross Remembrance Hall and Merrymeade House.
10. Tourism and Town Twinning arrangements.
11. Making of grants to local voluntary organisations and other bodies for the benefit of the local community.
12. To progress capital projects within the overall strategic policy of the Council as interpreted by the Policy, Performance and Resources Board upon the financial limits set by the Council through the capital programme.

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## **HIGHWAYS PANEL**

### **Section A - Highways**

1. To determine local highways projects and initiatives to be progressed under the ECC Highways Localism Initiative and to oversee and identify priorities for planned maintenance for local roads and footpaths in Brentwood.
2. Pursuant to (1) above, to make decisions on local highway related work, including traffic orders, grass cutting, crossings, traffic lights, signs and lines, Speed Indication Devices (SIDs) and local improvement projects such as junction improvements, road widening and other minor capital works.
3. To co-ordinate public consultation and engagement mechanisms to inform priorities and decision making under the Highways Localism Initiative.
4. To monitor performance of contractors commissioned by ECC to implement local highways projects under the Highways Localism Initiative.
5. To co-ordinate the activities of the local Highway Rangers and dovetail their operations with the Borough Council's Streetcare teams.
6. To contribute towards the development of ECC's annual Highways Capital Budget.

## **Section B - Borough Council Technical Services Functions**

1. Maintenance of Highways under Section 42 Highways Act 1980.
2. Highways Act 1980, Section 134(5a) (Prosecution of offences relating to ploughing up).
3. Footway lighting.
4. Public Utilities Street Works Act 1950, Section 30 and Highways Act 1980, Section 147a, 179 and 312 (Works in streets, construction under streets and control of roadside sales).
5. Environmental Improvement Schemes affecting highway land.
6. Provision of off-street car parks.

## **Section C – Charges**

Setting of Car Park charges subject to the concurrence of the Policy, Performance and Resources Board.

## **Section D - Agency Functions**

1. Highways.
2. Road Maintenance.
3. Street Lighting.
4. Private Street Works.
5. Highways Act 1980, Section 230 (urgent repairs to private streets).
6. Estate road development.
7. Traffic management.
8. On-street and off-street parking including parking enforcement

## **Section E - Passenger Transport Services**

1. To review from time to time public passenger transport services and make representations thereon.
2. To consider proposed alterations in services or charges by public passenger transport undertakings and decide on behalf of the Council whether representations shall be made thereon.

## **Section F- Road Safety**

To provide road user training and publicity in accordance with the agency agreement with ECC.

## **PLANNING DEVELOPMENT CONTROL AND LICENSING COMMITTEE**

### **Section A - Planning Applications and Development Control**

- (a) Town and Country Planning Act 1990 and any related legislation including:-
  - (i) determination of planning applications
  - (ii) enforcement of planning control
  - (i) waste land notices, purchase notices, etc.
- (b) Listed Buildings and Conservation Areas Act 1990
  - (i) determination of applications for Listed Buildings and Conservation Area consent.
  - (ii) enforcement of Listed Building and Conservation Area legislation.
- (c) To consider and determine the Council's comments where appropriate on major development outside the Borough when consulted by other Local Planning Authorities.

### **Section B - Licensing and Trading**

1. The enforcement of trading requirements relating to the sale of goods and opening hours of shops and other premises and the issue of licences, consents and/or the registration, as appropriate, of the following:-

- (i) Street trading.
  - (ii) Cinemas and places of public and private entertainment.
  - (iii) Sex establishments.
  - (iv) Pet shops, riding establishments, boarding kennels, catteries, zoos, dangerous wild animals.
  - (v) Hawkers and street traders.
  - (vi) Ear piercers, tattooists, hairdressers and places of special treatment.
  - (vii) Hackney carriages and private hire vehicles, driver and vehicle test inspections.
  - (viii) Game dealers, upholsterers, pawnbrokers and theatrical employers.
  - (ix) Lotteries, street and house to house collections, betting and gaming (including supervision of)
  - (x) Camping and caravan sites and the supervision of and enforcement of conditions thereat.
2. To progress actions arising from the Crime & Disorder Strategy which may be referred to it for consideration.
  3. Any other matters relating to licensing which may be referred to it for consideration.
  4. To hear and decide appeals against the making of Tree Preservation Orders.

### **Section C - Liquor Licensing**

1. Except in relation to the Statement of Licensing Policy to discharge all functions conferred upon the Council as a licensing authority under the Licensing Act 2003, including responsibility for licensing the sale and supply of alcohol, the provision of regulated entertainment and late night refreshment.
2. Any other licensing issues referred to the Council by legislation.

## **BUSINESS AND ECONOMIC DEVELOPMENT PANEL**

### **Section A – General**

1. To consider and propose matters concerning the promotion of economic development throughout the Borough and the interface with countywide or regional economic development initiatives.
2. To maintain a special interest in employment promotion.
3. To promote and encourage enterprise and investment in the Borough in order to maintain and sustain the economic wellbeing and regeneration of the area.
4. To encourage the growth of existing businesses in the Borough and access to the skills and training necessary to support them.
5. To develop a climate where businesses and individuals can innovate, compete and contribute to the economic development and regeneration of the area; and excellence in local business.
6. To promote and encourage tourism and heritage within the Borough.

### **Section B – Brentwood Town Centre/Brentwood Borough Shopping Centres**

1. To consider matters relating to Council schemes/projects within the general framework of the Council's policies and to submit recommendations outside such policies.
2. To consider and determine matters relating to the promotion, maintenance and enhancement of the vitality and viability of shopping centres within the Borough.
3. To consult with the Chamber of Commerce and Federation of Small Businesses.



## **PART SEVEN**

# **THE OVERVIEW AND SCRUTINY COMMITTEE and AUDIT COMMITTEE**

## **THE OVERVIEW AND SCRUTINY COMMITTEE**

The Council has established an Overview and Scrutiny Committee consisting of 11 members of the Council to undertake the performance of all overview and scrutiny functions on behalf of the Council.

The Overview and Scrutiny Committee shall be chaired by a Member of one of the Opposition Groups on the Council and the appointment shall be made at Annual Council in accordance with the Overview and Scrutiny Procedure Rules.

The Council's local protocol for the Overview and Scrutiny Committee is that neither the Leader and Deputy Leader of the Council nor Chairmen of the Policy, Performance and Resources Board, Executive Panels or Committees will be members of the Overview and Scrutiny Committee.

Up to three non-voting co-optees can be appointed to assist the work of the Overview and Scrutiny Committee.

### **Terms of Reference**

The Terms of Reference of the Overview and Scrutiny Committee are:-

#### **Section A – General**

1. The performance of all overview and scrutiny functions on behalf of the Council.
2. To receive requests from the Council, the Policy, Performance and Resources Board, an Executive Panel or Committee for reports from the Overview and Scrutiny Committee.
3. To approve an annual overview and scrutiny work programme, so as to ensure that the Committee's time is effectively and efficiently utilised.
4. To determine project briefs for particular areas of work where these have not been set by the Council or the Policy, Performance and Resources Board.

#### **Section B - Overview and Scrutiny**

The Overview and Scrutiny Committee will scrutinise, with rigour, matters of concern that reflect on the quality of the decision making of the Council and the delivery of its services.

Further, the Committee will review the actions of outside bodies where the quality of life for Brentwood residents is directly affected.

In order to achieve the foregoing the Committee will be responsible for:

1. Monitoring and assessing quality of service across the Council and to receive the “overview performance reports” under the Council’s performance Management Framework, prior to their referral to the Policy, Performance and Resources Board, Executive Panels and Committees.
2. Reviewing complaints and information from satisfaction surveys.
3. Reviewing best practice in relation to service delivery.
4. Reviewing information published by the Council on service performance.
5. Considering the content of the draft Corporate Performance Plan each year, including the annual performance indicator statistics, prior to the formal adoption of the Plan by the Council or the Policy, Performance and Resources Board.
6. Recommendations to the Council, Policy, Performance and Resources Board, Executive Panels (as appropriate) on matters to be included in the annual Corporate Performance Plan, and/or for Best Value Reviews to be conducted.
7. Reviewing and reporting to the Policy, Performance and Resources Board and Council on the local authority’s performance against its Strategic and Operational Objectives for inclusion in the annual Corporate Performance Plan.
8. Reviewing the achievement of the Objectives in the Council’s Corporate Strategic Plan.
9. Monitoring of progress against Corporate Improvement Plans.
10. Monitoring of progress against agreed annual priorities, as set out in the Corporate Performance Plan.
11. Reviewing any of the Council’s functions where considered necessary as a result of performance statistics, or where commissioned to do so by the Council, the Policy, Performance and Resources Board, an Executive Panel or Committee.
12. Upon the request of the Council or the Policy, Performance and Resources Board to review and scrutinise the Council’s performance in

relation to budgetary management and the compliance with/development of the Medium Term Financial Plan.

13. Reviewing the partnership working arrangements with health agencies and other public, private and voluntary services in the area.

## **THE AUDIT COMMITTEE**

### **1. Purpose**

The Audit Committee provides independent assurance on the adequacy of the risk management framework and the associated control environment, review of the Council's arrangements for corporate governance, independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and to oversee the financial reporting process.

### **2. Membership**

Five Members of the Council selected on a politically proportionate basis.

### **3. Tasks**

The Audit Committee has the following specific responsibilities:

- a. To consider the effectiveness of the Council's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements.
- b. To review and approve the Council's Annual Statement of Accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council.
- c. To consider the Council's arrangements for corporate governance and, subject to the role and responsibilities of the Standards Committee, to advise on any action necessary to ensure compliance with best practice.
- d. To consider the Council's Annual Governance Statement (AGS) and recommend its adoption by the Council, having ensured that it reflects the risk environment and any actions needed to improve it.

- e. To receive the Final Accounts Memorandum and the External Auditor's Report to those charged with governance on issues arising from the audit of the accounts.
- f. To consider the Annual Audit and Inspection Letter from the Audit Commission and to provide advice and comments on the Letter to the Policy Board.
- g. To receive and comment upon the External Audit plans, including the extent to which they provide value for money.
- h. To approve, but not direct, Internal Audit's strategy and plan, and to monitor performance against them.
- i. To receive summary reports from the Council's Internal Audit section on the outcome of audit reviews and investigations and to seek assurance that the recommendations have been implemented.
- j. To receive the annual report of the Head of Internal Audit and Risk Management.
- k. To receive any reports from the External Auditor about the effectiveness of the Council's financial arrangements.
- l. To liaise with the Audit Commission over the appointment of the Council's External Auditor.
- m. To monitor the effectiveness of the Council's Financial Regulations, contract procedure rules and strategies for anti-fraud and corruption and whistleblowing.
- n. To commission work from Internal Audit and the External Auditor.

## **PART EIGHT**

### **THE STANDARDS COMMITTEE and INDEPENDENT REMUNERATION PANEL**

## **STANDARDS COMMITTEE & INDEPENDENT REMUNERATION PANEL**

### **STANDARDS COMMITTEE**

The following new Terms of Reference were approved at Annual Council on 14.5.08 and replaced the previous Terms of Reference.

All local authorities are required by Section 53 of the Local Government Act 2000 to establish a Standards Committee for the purpose of promoting and maintaining high standards of conduct and assisting Members to observe the Council's Code of Conduct. In addition the Borough Council has responsibility for the promotion and maintenance of Standards of Conduct for the Parish Councils in the Borough.

The Council has established a Standards Committee which consists of a maximum of 12 members. Of these members, as required by the Local Government Act 2000, three are Independent Representatives ie independent of the Council. This is to help increase public confidence and provide a clear signal that the Committee is fair. In addition three members are Parish Council representatives. The Independent Representatives are appointed for a term of two years which is subject to review. The Council has also agreed that the Chairman of the Standards Committee shall be one of the three Independent Representatives and it is for the Standards Committee to appoint the Chairman.

1. To carry out an assessment and determination of any allegation made against Borough or Parish Council Councillors in accordance with the Standards Committee (England) Regulations 2008, any such subsequent regulations made by the Secretary of State and any guidance on such assessments and determinations received from the Standards Board for England.
2. To establish and maintain 3 Sub-Committees, each with their own terms of reference, namely:
  - A Referrals Sub-Committee
  - A Review Sub-Committee
  - A Hearing Sub-Committee
  1. To promote and maintain the high ethical standards of conduct by the Members and co-opted Members of the Council.
  2. To assist Members and co-opted Members of the Council to observe the Council's Code of Conduct.
  3. To advise the Council on adoption or revision of a Code of Conduct.
  4. To monitor the operation of the Council's Code of Conduct.

5. To advise, train or arrange training for Members and co-opted Members on matters relating to the Council's Code of Conduct.
6. To undertake the same functions detailed under 3 to 7 above in relation to Parish Councils within the Borough.
7. To give consideration to issues of conduct in public life as they relate to Members and co-opted Members of the Council in the light of relevant regulations made by the Secretary of State and such advice and guidance as may be issued by the Standards Board of England.
8. To advise the Council on protocols covering the conduct of the Council's business and activities.
9. To consider and advise on matters relating to conduct as may be requested by the Council.

### **INDEPENDENT REMUNERATION PANEL**

The Borough Council is required to establish and maintain an Independent Remuneration Panel. The purpose of the panel is to make recommendations to the Council about the allowances to be paid to elected Members of the Council.

The Council has appointed an Independent Remuneration Panel comprising of three individuals who are independent of the Council.

The terms of reference of the Independent Remuneration Panel are:-

To review the Council's existing scheme of allowances and to make recommendations to the Council thereon. In accordance with the regulations this incorporates the following functions whether or not covered by the existing scheme:

- to make recommendations to the authority as to the amount of basic allowance that should be payable to its elected members
- to make recommendations to the authority about the categories of members who should receive a special responsibility allowance and as to the amount of such an allowance
- to make recommendations to the authority about the duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance
- to make recommendations as to the amount of co-optees allowance
- to make recommendations as to whether the authority's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependants and if it does make such a



recommendation, the amount of this allowance and the means by which it is determined

- to make recommendations on whether any allowance should be backdated to the beginning of a financial year
- to make recommendations as to whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run.

## **ANNUAL MEETING 2010 - LIST OF NOMINATIONS**

### **ELECTION OF MAYOR**

Proposed: Cr. Tee

### **APPOINTMENT OF DEPUTY MAYOR**

Proposed: Cr. Mrs Holmes

### **APPOINTMENT OF POLICY, PERFORMANCE AND RESOURCES BOARD, EXECUTIVE PANELS AND COMMITTEES**

#### **POLICY, PERFORMANCE AND RESOURCES BOARD**

Membership 11  
(Con 8, Lib Dem 2, Lab 1)

##### **Conservative**

1. Cr Mrs McKinlay
2. Cr. Hirst
3. Cr. Lloyd
4. Cr. Mrs McGinley
5. Cr. Baker
6. Cr. Sleep
7. Cr. Ms Golding
8. Cr. McCheyne

Substitute Members

Cr. Lee  
Cr. Reed

##### **Lib Dem**

1. Cr Kendall
2. Cr. Mrs Davies

Substitute Member

Cr. Cr Carter

##### **Labour**

Cr Le-Surf

#### **OVERVIEW AND SCRUTINY COMMITTEE**

Membership 11  
(Con 8, Lib Dem 3)

##### **Conservative**

1. Cr. Payne
2. Cr. Hossack
3. Cr. Braid
4. Cr. Harrison
5. Cr Golding
6. Cr. Mrs Holmes
7. Cr. Parker
8. Cr. Sparling

##### **Lib Dem**

1. Cr. Ms Chilvers
2. Cr. Aspinell
3. Cr. Straw

#### **JOINT COMMITTEE FOR COUNTRY PARKS AND COUNTRYSIDE ESTATE**

Membership 2  
(Con 2)

1. Cr. Hirst
2. Cr. Miss Lewis

Substitute Members

Cr Mrs Pound  
Cr Lloyd

<b><u>ENVIRONMENT, HOUSING AND COMMUNITY PANEL</u></b>	<b><u>HIGHWAYS PANEL</u></b>
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Membership 11  
(Con 8, Lib Dem 2, Ind 1)

**Conservative**

1. Cr. Hirst
2. Cr. Mrs Pound
3. Cr. Lloyd
4. Cr. Lee
5. Cr. Harrison
6. Cr Miss Lewis
7. Cr. Mrs Coe
8. Cr. Parker

Substitute Members  
Cr. Mrs Holmes  
Cr. Payne

**Lib Dem**

1. Cr. Mrs Davies
2. Cr. Carter

Substitute Member  
Cr. Kendall

**Independent**

C Keeble

Membership 11  
(Con 8, Lib Dem 2, Lab 1)

**Conservative**

1. Cr. Payne
2. Cr. Mrs Cornell
3. Cr. Mrs Pound
4. Cr. Mrs McGinley
5. Cr. Mrs Brehaut
6. Cr. MacLellan
7. Cr. Miss Lewis
8. Cr. Mrs Henwood

Substitute Members  
Cr. Sleep  
Cr. Ms Golding

**Lib Dem**

1. Cr. Kendall
2. Cr. Mynott
3. Cr. Clarke

Substitute Member  
Cr. Aspinell

<b><u>PLANNING DEVELOPMENT CONTROL AND LICENSING COMMITTEE</u></b>
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Membership 15 (Con 12, Lib Dem 3)

**Conservative**

1. Cr. Reed
2. Cr. Lloyd
3. Cr. Tee
4. Cr. Braid
5. Cr. Mrs Brehaut
6. Cr. Mrs Hones

Substitute Members  
Cr. Hossack  
Cr. Mrs Pound

**Lib Dem**

1. Cr. Ms Chilvers
2. Cr. Carter

**Labour**

Cr Le-Surf

NB Any three Members sitting together shall constitute a sub-committee

7. Cr. Sleep
8. Cr. MacLellan
9. Cr. Golding
10. Cr. Mrs Coe
11. Cr. McCheyne
12. Cr. Mrs Henwood

Substitute Member  
Cr. Mrs Davies

## **BUSINESS AND ECONOMIC DEVELOPMENT PANEL**

### **Membership 11 (Con 7, Lib Dem 3, Independent 1)**

#### **Conservative**

1. Cr. Reed
2. Cr. Mrs Cornell
3. Cr. Lee
4. Cr. Baker
5. Cr. Ms Golding
6. Cr. Mrs Holmes
7. Cr. Sparling

#### Substitute Members

Cr. Mrs Coe  
Cr. MacLellan

#### **Lib Dem**

1. Cr. Kendall
2. Cr. Mynott
3. Cr. Clarke

#### Substitute Member

Cr. Mrs Davies

#### **Independent**

Cr Keeble

## **AUDIT COMMITTEE**

### Membership 5 (Con 3, Lib Dem 2)

#### **Conservative**

1. Cr. Hossack
2. Cr. Mrs Hones
3. Cr. Golding

#### **Lib Dem**

1. Cr. Ms Chilvers
2. Cr. Straw

## **STANDARDS COMMITTEE**

Membership 12 (3 Independent Members, 3 Parish Council Representatives,  
Borough Councillors - 3 Con, 2 Lib Dem, 1 Lab)

### **Independent Members**

Mr R Horton  
Mr P Clements  
Mr C Van-Holby  
Mr P Baggott  
Mrs S Murphy  
Mr C Price

### **Parish Council Representatives**

### **Borough Council Members**

Conservative (3)

Cr. Baker  
Cr. Mrs McGinley  
Cr. Reed

Liberal Democrat (2)

Cr Straw  
Cr Mynott

Labour (1)

Cr Le-Surf

Note: Staff Appeals/Appointments Committees are appointed as required.

**APPOINTMENT OF STANDING GROUPS AND BOARDS**

(i) **STAFF LOCAL AGREEMENT CONSULTATION FORUM**

Employer's Side (The Council)

Leader of the Council:	Cr. Mrs McKinlay
Deputy Leader of the Council:	Cr. Hirst
Chairman of Policy, Performance and Resources Board or Majority Group	
Nominee:	Cr. Mrs McKinlay
Leader of Main Opposition Group:	Cr. Kendall

(ii) **PUBLIC INFORMATION PANEL**

Membership 3 (Con 2, Lib Dem 1)

<u>Conservative</u>	Cr. Mrs McKinlay
	Cr. Hirst
	Reserve: Cr Reed

<u>Liberal Democrat</u>	Cr Ms Chilvers
	Reserve: Cr Kendall

(iii) **INDEPENDENT REMUNERATION PANEL**

Mr N Abbott  
Mr M Hawkins  
Mr N Otley

## APPENDIX 5

### **APPOINTMENT OF CHAIRMAN AND VICE CHAIRMAN OF THE POLICY, PERFORMANCE AND RESOURCES BOARD EXECUTIVE PANELS, COMMITTEES AND STANDING GROUPS, ETC.**

The following proposals will be made:-

#### (i) POLICY, PERFORMANCE AND RESOURCES BOARD

Chairman	:Cr Mrs McKinlay
Vice-Chairman	:Cr Ms Golding

#### OVERVIEW AND SCRUTINY COMMITTEE

Chairman	:Cr Ms Chilvers
Vice-Chairman	:Cr Payne

#### JOINT COMMITTEE FOR COUNTRY PARKS AND COUNTRYSIDE ESTATE

Chairman	: Cr To be decided by the Committee
Vice-Chairman	: Cr To be decided by the Committee

#### ENVIRONMENT, HOUSING AND COMMUNITY PANEL

Chairman	: Cr Hirst
Vice-Chairman	: Cr Mrs Pound

#### PLANNING DEVELOPMENT CONTROL AND LICENSING COMMITTEE

Chairman	: Cr McCheyne
Vice-Chairman	: Cr Mrs Coe

#### AUDIT COMMITTEE

Chairman	: Cr Hossack
Vice-Chairman	: Cr. Mrs Hones

#### HIGHWAYS PANEL

Chairman	: Cr Mrs McGinley
Vice-Chairman	: Cr MacLellan

#### BUSINESS AND ECONOMIC DEVELOPMENT PANEL

Chairman	: Cr Baker
Vice-Chairman	: Cr Reed

(ii) STANDING GROUPS AND BOARDS

Staff Local Agreement Consultation Forum

Chairman

: Leader of the Council

Public Information Panel

Chairman

: Cr Mrs McKinlay

Business Engagement Champion:

: Cr. Baker

E-Champion

: Leader of the Council

Economic Development and Sustainability Champion

: Cr Baker

Enforcement Champion :

: Cr. McHeyne

Equality and Diversity Champion:

: Cr. Mrs Hones

Natural Resource (Climate change) Champion

: Cr Hirst

Safeguarding Champion:

: Cr. Mrs McKinlay

Tourism and Heritage Champion:

: Cr. Reed

Crime and Disorder Partnership

Chairman

: Cr Payne



**BRENTWOOD BOROUGH COUNCIL**  
**REPORT OF THE CHIEF EXECUTIVE**  
**TO THE ANNUAL COUNCIL MEETING**

**19<sup>TH</sup> MAY 2010**

**ITEM 10**

**MEMBERS' ALLOWANCES 2010/11**

<b>PURPOSE OF REPORT</b>	To consider the level of allowances to be paid to Members of the Council.	
<b>CORPORATE OBJECTIVES</b>	<b>Open, Responsive and Accountable Government</b> <b>Core value</b> - <i>"The Council is committed to enhancing local democracy, by ensuring that decision-making structures are effective, clear and transparent....."</i>	
<b>IMPLICATIONS</b>		
• <b>Legal</b>		The report has been prepared in accordance with legislation.
• <b>Finance</b>		Members' Allowances are included in the estimates for 2010/11.
• <b>Staff</b>		There are no staffing implications.
• <b>Risk Management</b>		The Council should establish a system which does not deter individuals from seeking to become a Councillor.
• <b>Asset Management</b>		There are no asset management implications.
• <b>Health &amp; Safety</b>		There are no health and safety implications.
• <b>Equality and Diversity</b>		There are no equality or diversity implications.
<b>ACTION REQUIRED</b>	To decide on the level of allowances to be paid to Members.	

The Members' Allowances Scheme is usually reviewed annually. The current Members' Allowances Scheme came into effect on 1.10.2003 and was reviewed in the light of the new political management arrangements implemented in June 2004.

Members' Allowances have held at 2004/2005 levels with increases for inflation.

The last recommendation the Independent Remuneration Panel had made was for consideration at the May 2008 Annual Council meeting of 2008/09 Members' Allowances being increased by 2.5% from the 2007/08 level in accordance with the figure set by the Government for Public Sector employees.

At that meeting Members had resolved that the 2008/09 level of allowances should remain at the 2007/08 level. The Panel had made no recommendation in relation to allowances for 2009/10 and therefore the figures should have remained as follows for 2009/10:

Basic Allowance £6,612  
(Paid to all Members and including travel and subsidence)  
Special Responsibility Allowance (SRA):  
Chairmen £5,835  
Vice-Chairmen £1,061  
Leader of the Council £12,455  
Deputy Leader of the Council £9,145  
Leader of Main Opposition Group £5,835  
Leader of Minority Opposition Group £2,917

However, in order to produce a substantial budget saving, Members resolved to endorse the reduction in Members Allowances for 2009/10 recommended by the Special Policy Board and resolved by the Full Council at their meetings on 25.2.09.

The proposal was for a £1500 reduction in the basic allowance and for all special responsibility allowances to be halved. Therefore the allowances paid to Members in 2009/10 were as follows:

Basic Allowance £5,112  
(Paid to all Members and including travel and subsidence)  
Special Responsibility Allowance (SRA):  
Chairmen £2,918  
Vice-Chairmen £531  
Leader of the Council £6,228  
Deputy Leader of the Council £4,573  
Leader of Main Opposition Group £2,918  
Leader of Minority Opposition Group £1,459

Members also resolved that these reduced levels would be restored for the following municipal year (2010/2011), subject to consultation with the Independent Remuneration Panel.

The report of the Remuneration Panel prepared in May 2010 is attached for Members' consideration.

DECIDED:

REPORT OF THE INDEPENDENT  
REMUNERATION PANEL ON  
MEMBERS' ALLOWANCES  
TO  
BRENTWOOD BOROUGH COUNCIL  
MAY 2010

## REPORT OF THE INDEPENDENT PANEL OF MEMBERS' ALLOWANCES

The Panel comprised:

Mr Nick Abbott	General Manager, My Order (BT)
Mr Michael Hawkins	Executive Secretary, Brentwood Chamber of Commerce
Mr Noel Otley	Principal, Havering College

### 1.0 INTRODUCTION

The Members' Allowances Scheme for Brentwood Borough Council is due for its annual review, the last full review having been carried out in 2008.

Panel members emphasise their belief that an appropriate level of Members' Allowances is a fundamental democratic issue. Payment of a realistic amount to elected Members will promote social inclusion by ensuring that personal financial constraints are not a bar to office.

### 2.0 THE MECHANICS OF THE REVIEW

- 2.1 All members of the Panel had been members when the previous review was undertaken in 2008. Mr Nick Abbott was appointed Chairman of the Panel.
- 2.2 The Panel's Terms of Reference were to review the Council's existing scheme of allowances and to make recommendations to the Council thereon. In accordance with the regulations this incorporates the following functions whether or not covered by the existing scheme:
  - To make recommendations to the authority as to the amount of basic allowance that should be payable to its elected Members.
  - To make recommendations to the authority about the categories of Members who should receive a special responsibility allowance and as to the amount of such an allowance.
  - To make recommendations to the authority about the duties for which a travelling and subsistence allowance can be paid and as to the amount of this allowance.

- To make recommendations as to the amount of Co-optees allowance.
- To make recommendations as to whether the authority's allowances scheme should include an allowance in respect of the expenses of arranging for the care of children and dependents and if it does make such a recommendation, the amount of this allowance and the means by which it is determined.
- To make recommendations on whether any allowance should be backdated to the beginning of the financial year.
- To make recommendations as to whether annual adjustments of allowance levels may be made by reference to an index, and, if so, for how long such a measure should run.
- The Panel is also required by law to make a recommendation on pension arrangements for Members.

2.3 This is the fourth full review of allowances for the Council and we are aware of the considerable amount of work and research that went into the earlier reviews. The Panel notes in particular that the reviews in 2000, 2003 and 2008 were fully argued and thus takes the view that the 2008 review is a sound base from which to start the present review.

2.4 The Panel has also reviewed the Allowances Schemes for other neighbouring Authorities and has made comparisons of same, whilst noting that there was little consistency across councils. It is acknowledged that most other authorities pay a separate travel and subsistence allowance whereas Brentwood Borough Council members are paid an inclusive basic allowance.

In addition, the Panel has interviewed the three Group Leaders and taken full account of the comments made by them.

2.5 Before making their recommendations in 2008 the Panel had circulated a questionnaire to all Members of the Council. This sought information about the work of a local Councillor. Its main conclusions were:

- (a) Councillors on average spend approximately 50 hours a week on ward work.

- (b) Councillors are sending and receiving far more emails than they were in 2003.
  - (c) On average, Councillors attend 6 Council Meetings each month.
- 2.6 Other than emails, the amount of time and type of work carried out by Councillors was remarkably similar to that revealed in a similar survey carried out in 2003. Some Councillors, however, had mentioned the increased cost of being a Councillor e.g. petrol prices.
- 2.7 We have based our reasoning on the premise that having a scheme for Members' Allowances ensures that financial constraints are not a bar to holding office and that Members are reasonably compensated for their work as Councillors.
- 2.8 We believe our role is to examine the evidence and arguments put to us, to question them, take guidance and come to a conclusion as to what would be a reasonable scheme of allowances in the circumstances. The decision as to whether and to what extent our recommendations are introduced and when is clearly a matter for the Council, although we do make recommendations on this aspect.
- 3.0 GENERAL COMMENTARY AND FINDINGS
- 3.1 The legal framework for Members' allowances is contained in the Local Government and Housing Act 1989, the Local Government Act 2000 and the Local Authorities' (Members' Allowances) (England) Regulations 2003.
- 3.2 The Panel has sought to be objective in its approach to the review. In particular, like other reviews elsewhere in the country, we have kept in mind the key function which Councillors perform in protecting and enhancing local democracy by providing representation on issues of local concern and ensuring that the Council remains, at all times, accountable to the local community which it serves.
- 3.3 The key principles the Panel have mentioned are:
  - (a) The need for Councillors to come from as wide a range of backgrounds as possible.
  - (b) The necessity of ensuring some recompense for their time and effort spent in serving the community whilst recognising that

- the work of Councillors should include a substantial element of voluntary contribution;
- (c) The need for any allowance to recognise the time to be taken on development and training, as well as other activities.

#### 4.0 EMPLOYMENT ISSUES

- 4.1 The discretion given to Authorities to draw up their own Members' Allowances Schemes enables Councils to develop local arrangements that reflect the diversity of local circumstances. In particular, heed was taken of Brentwood's proximity to London, high level of out-commuting particularly to London and relatively high incomes received by many local residents.
- 4.2 We have taken into account that the new Scheme should promote "social inclusion" by ensuring that personal financial constraints are not a bar to office.
- 4.3 The Panel was aware of research which drew a number of conclusions about what affects people standing or thinking of standing for Local Government:
  - (a) Time commitment can automatically preclude many potential working Members from coming forward or continuing;
  - (b) The most common reasons for standing down are time commitments and family responsibility;
  - (c) There is research evidence on the impact of being a Member on his/her employment suggesting that the commercial sector will never find it easy to release staff;
  - (d) Other evidence illustrates the detrimental effect on career progression, which can impact on a partner and the wider family.

#### 5.0 BASIC ALLOWANCE

- 5.1 The law requires that there shall be a Basic Allowance and that it shall be paid to all Councillors at the same rate.
- 5.2 The purpose of an allowance scheme is not to encourage Members to attend meetings but rather to recompense Councillors for the whole role they perform, of which attendance at meetings of the authority is merely an element.
- 5.3 Past research suggests that Councillors are in their basic roles undertaking essentially the same job and the time they rate most highly is their representational role. This will include:



- Representing constituents' views at meetings of the Council and, as appropriate, on other organisations;
  - Ensuring that individual problems which have not been dealt with by the normal procedures are dealt with satisfactorily;
  - Holding community meetings and consultations;
  - Dealing with correspondence and obtaining information;
  - Meeting with senior officers to make them aware of local concerns;
  - Acting as the representative on another body, requiring briefings and reporting back to Council.
- 5.4 The Brentwood basic allowance originally set in 2000 was based upon a formula used elsewhere that had regard to the Local Government Association's then daily rate of £105.10 as recommended in February 2000. This figure was based on a benchmark national (males) median white-collar wage.
- 5.5 The Panel has had to consider whether the formula is one that can still be recommended.
- 5.6 We are satisfied that the formula is one that can still be used. Indeed, we are satisfied that the level of basic allowance is based on sound principles. In particular that there is seen to be a significant voluntary element of approximately 30%.
- 5.7 Having accepted the principle, we considered whether the actual amount of basic allowance was the appropriate amount.

The last recommendation the Independent Remuneration Panel had made was for consideration at the May 2008 Annual Council meeting of 2008/09 Members' Allowances being increased by 2.5% from the 2007/08 level in accordance with the figure set by the Government for Public Sector employees.

At that meeting Members had resolved that the 2008/09 level of allowances should remain at the 2007/08 level. The Panel had made no recommendation in relation to allowances for 2009/10 and therefore the figures should have remained as follows for 2009/10:

Basic Allowance £6,612  
(Paid to all Members and including travel and subsistence)  
Special Responsibility Allowance (SRA):  
Chairmen £5,835  
Vice-Chairmen £1,061  
Leader of the Council £12,455

Deputy Leader of the Council £9,145  
Leader of Main Opposition Group £5,835  
Leader of Minority Opposition Group £2,917

However, in order to produce a substantial budget saving, Members resolved to endorse the reduction in Members Allowances for 2009/10 recommended by the Special Policy Board and resolved by the Full Council at their meetings on 25.2.09.

The proposal was for a £1500 reduction in the basic allowance and for all special responsibility allowances to be halved. Therefore the allowances paid to Members in 2009/10 rates were as follows:

Basic Allowance £5,112  
(Paid to all Members and including travel and subsistence)  
Special Responsibility Allowance (SRA):  
Chairmen £2,918  
Vice-Chairmen £531  
Leader of the Council £6,228  
Deputy Leader of the Council £4,573  
Leader of Main Opposition Group £2,918  
Leader of Minority Opposition Group £1,459

Members also resolved that these reduced levels would be restored for the following municipal year (2010/2011), subject to consultation with the Independent Remuneration Panel.

- 5.8 Having considered all the evidence we believe that the Basic Allowance should be restored to the 2007/08 level, as detailed above.
- 5.9 Therefore, we recommend a Basic Allowance of £6,612 for all Members of Brentwood Borough Council.

#### 6.0 SPECIAL RESPONSIBILITY ALLOWANCES

- 6.1 An appropriate level of Special Responsibility Allowance should recompense Councillors who take on a greater level of responsibility and workload.
- 6.2 In making our recommendation in this section, we also recommend that no one Member should receive more than one Special Responsibility Allowance.

#### A. LEADER OF THE COUNCIL

- 6.3 At the 2008/09 allowance level the Leader of the Council would receive an amount which is just less than twice the basic allowance plus the basic allowance itself.
- 6.4 The Panel is in no doubt as to the increasingly onerous responsibilities of a Council Leader which, due to modern technology, are now virtually constant. The Leader has, in addition, to keep up to speed with all the portfolios if he/she is to properly carry out his/her responsibilities and provide strategic leadership for the Council. We therefore believe that the Special Responsibility Allowance should be increased from the 2007/08 level to reflect this.
- 6.5 We recommend that the Special Responsibility Allowance payable to the Leader of the Council should be £14,500.00 in addition to the Basic Allowance of £6,612.00.

#### B. DEPUTY LEADER

- 6.6 The role of Deputy Leader is not recognised in law and is a matter for local arrangement. The Council does however formally appoint a Deputy Leader each Annual Council Meeting.
- 6.7 We are advised that the Deputy Leader in Brentwood plays an active corporate role and should therefore receive a Special Responsibility Allowance higher than that paid to a Committee or Panel Chairman. However, in order to offset the increased amount paid to the Leader of the Council we recommend that a reduction is made in the SRA for the role of Deputy Leader.
- 6.8 We recommend that the Special Responsibility Allowance payable to the Deputy Leader of the Council should be £7,000.00 in addition to Basic Allowance.

#### C. COMMITTEE CHAIRMEN AND VICE CHAIRMEN

- 6.9 Currently there are 9 Chairmen and Vice Chairmen who are Members of the Council. The Panel understands that this number may decrease after the Annual Council Meeting.
- 6.10 The Panel is aware of the time commitment, the skill and knowledge requirements and responsibility of a Chairman and to a lesser extent, a Vice Chairman.

6.11 The Panel believes that, since the workload of the various Chairmen varies, there should be differential allowances to reflect this.

6.12 We recommend that the Special Responsibility Allowance in addition to the basic allowance for Chairmen and Vice Chairmen should be as follows:

For Chairmen of the Executive Panels, ie Policy Board; Health, Housing and Leisure Panel; Business and Economic Development Panel; Environment and Parking Management Panel and Highways Localism Panel and the Chairman of Planning Development Control Committee: £5,835.00.

For the Chairman of Licensing/Appeals Committee - £4,000.00 – and for the Chairmen of Overview and Scrutiny Committee and Audit Committee - £3,000.00.

We recommend that all Vice-Chairmen should receive £1,061.00 in addition to the Basic Allowance.

#### D. LEADER OF THE OPPOSITION

6.13 Currently the Leader of the main opposition receives a Special Responsibility Allowance equal to that paid to a Chairman.

6.14 We start from the premise that strong and informed opposition is essential in the interests of democracy. The Panel considers that it is right to ensure that Special Responsibility Allowance is available to enable the Leaders of the Opposition Groups to play their full part holding the majority group to account.

6.15 On the other hand, we are aware that the actual responsibilities of an opposition leader are limited, all the more so when the numbers of his/her group are relatively small compared to the number in the majority group.

6.16 Nevertheless, we are persuaded more by the argument set out in 6.14 and for that reason we believe that the Special Responsibility Allowances paid to the 2 opposition leaders in 2008/09 were reasonable.

6.17 The Panel recommends that the Leader of the main opposition party receives a Special Responsibility Allowance of £5,835.00 and the Leader of the minority opposition group receives a Special

Responsibility Allowance of £2,917.00, both in addition to the Basic Allowance.

#### 7.0 INDEPENDENT AND CO-OPTED MEMBERS

- 7.1 These are for brevity referred to as “Co-opted Members”.
- 7.2 Co-opted Members can be appointed to Local Authority Committees for a variety of purposes and reasons.
- 7.3 In particular, the Standards Committee must in law have at least two members wholly independent of the Council from whom the Chairman of the Committee is appointed.
- 7.4 The work of the Standards Committee is difficult to forecast. Usually the work is limited to its regular periodic meetings of, say, four times a year. However, Standards Committee Co-opted Members may also be required to take part in hearings. Given the hopefully relative infrequency of such hearings we consider that at this stage, this aspect of a Co-opted Member’s duties should just be kept under review.
- 7.5 All Co-opted Members should, however, be entitled to receive out of pocket expenses and we so recommend.

#### 8.0 TRAVELLING AND SUBSISTENCE

- 8.1 Currently Brentwood Borough Council does not pay travelling and subsistence separately but it is reflected in the Basic Allowance.
- 8.2 Some other Authorities pay separately for travelling and subsistence but we believe the current system works well in Brentwood and should continue, not least because it avoids additional bureaucracy.

#### 9.0 CARERS ALLOWANCE

- 9.1 The payment of a Carers Allowance can be made to Councillors who have expenditure for the care of children or dependents whilst carrying out their duties as a Councillor. Brentwood Borough Council does not currently pay such an allowance.
- 9.2 We noted that in the 2008 survey, Members of the Council were asked for their views as to whether a Carers Allowance should be

paid. Those Members who responded were evenly split, with a number feeling that the Basic Allowance should cover this expense.

- 9.3 Notwithstanding this, we are of the view that such an allowance should be paid having regard to the desire to encourage and not exclude individuals from becoming Councillors.
- 9.4 We suggest that payment should be made at a rate of £5 per hour subject to a maximum of £15 in respect of any one meeting. For the present we suggest that this payment should be limited to attendance at meetings of the Council, its Policy Board, Panels and Committees.
- 9.5 We recommend this allowance accordingly and suggest that a simple protocol be drawn up for payment.

#### 10.0 PENSIONS

- 10.1 Those who receive the Basic Allowance and the Special Responsibility Allowance are eligible to be included within the Local Government Superannuation Scheme.
- 10.2 We considered the views expressed by the majority of Members in the 2008 survey that Members Allowances should not be pensionable.
- 10.3 We recommend that at this time Members' Allowances should not be pensionable.

#### 11.0 CONFERENCE ATTENDANCE

- 11.1 Payment in respect of attendance at Conference or other extraordinary travel remains under the separate system instituted by Section 175 of the Local Government and Housing Act 1989.
- 11.2 We were advised that the rates for these had fallen significantly below the actual costs. Since we firmly believe that Members should not lose out financially for attending on "approved duties" we recommend that Members are reimbursed fully for any such expenditure subject to prior approval of the Chief Executive or Executive Director for expenditure above £120 per night.

## 12.0 WITHOLDING ALLOWANCES

- 12.1 We note that payments of Members Allowances can be withheld as a result of a full or partial suspension of a Member from the Council. (This would arise as a result of the decision of the Standards Committee or the Standards Board of England).
- 12.2 We recommend that no Member should be entitled to receive a Basic Allowance or Special Responsibility Allowance during the period where the Member is fully or partially suspended from his/her position as a Member of the Council.

## 13.0 ANNUAL ADJUSTMENT OF ALLOWANCES

- 13.1 The scheme of allowances can make provision for an annual adjustment of allowances by reference to an index.
- 13.2 We considered whether an annual adjustment should be made and how often allowances should be reviewed.
- 13.3 We are of the view that the Allowance Scheme should be reviewed annually by the Panel prior to the Annual Meeting of the Council and any recommendation for adjustment considered as part of the review.

## 14.0 BACKDATING OF ALLOWANCES

- 14.1 Mindful of the Council's need to curb and scrutinise expenditure, we recommend to the Council that current increases are not backdated but come into force from the day following Annual Council.

## 15.0 CONCLUSIONS AND ACKNOWLEDGEMENTS

- 15.1 In all other respects we make no variation to the Allowances Scheme detailed in the May 2008 report.
- 15.2 We are unanimous in putting forward these recommendations to the Council.
- 15.3 We would like to thank and acknowledge those Members and staff who have assisted our preparation of this report.

## APPENDIX 7

### DRAFT CALENDAR OF MEETINGS 2010/2011

#### 2010

#### MAY

01	Sat	
02	Sun	
03	Mon	Bank Holiday
04	Tues	
05	Wed	
06	Thurs	Elections
07	Fri	
08	Sat	
09	Sun	
10	Mon	
11	Tues	
12	Wed	
13	Thurs	
14	Fri	
15	Sat	
16	Sun	
17	Mon	Group
18	Tues	
19	Wed	Annual Meeting
20	Thurs	
21	Fri	
22	Sat	
23	Sun	
24	Mon	
25	Tues	Planning Development Control and Licensing Committee
26	Wed	
27	Thurs	
28	Fri	
29	Sat	
30	Sun	
31	Mon	Bank Holiday

#### JUNE

01	Tues
02	Wed
03	Thurs
04	Fri
05	Sat



06	Sun	
07	Mon	
08	Tues	
09	Wed	Environment , Housing and Community Panel
10	Thurs	
11	Fri	
12	Sat	
13	Sun	
14	Mon	Group
15	Tues	Highways Panel
16	Wed	Policy, Performance and Resources Board
17	Thurs	
18	Fri	
19	Sat	
20	Sun	
21	Mon	
22	Tues	Planning Development Control and Licensing Committee
23	Wed	
24	Thurs	
25	Fri	
26	Sat	
27	Sun	
28	Mon	Overview and Scrutiny Committee
29	Tues	Audit Committee
30	Wed	Business and Economic Development Panel

## JULY

01	Thurs	Standards Committee
02	Fri	
03	Sat	
04	Sun	
05	Mon	
06	Tues	
07	Wed	
08	Thurs	
09	Fri	
10	Sat	
11	Sun	
12	Mon	Group
13	Tues	
14	Wed	Ordinary Council
15	Thurs	
16	Fri	
17	Sat	
18	Sun	
19	Mon	

20	Tues	
21	Wed	Planning Development Control and Licensing Committee
22	Thurs	
23	Fri	
24	Sat	
25	Sun	
26	Mon	
27	Tues	
28	Wed	
29	Thurs	
30	Fri	
31	Sat	

## AUGUST

01	Sun	
02	Mon	Group
03	Tues	
04	Wed	Policy, Performance and Resources Board (if required)
05	Thurs	
06	Fri	
07	Sat	
08	Sun	
09	Mon	
10	Tues	
11	Wed	
12	Thurs	
13	Fri	
14	Sat	
15	Sun	
16	Mon	
17	Tues	
18	Wed	
19	Thurs	
20	Fri	
21	Sat	
22	Sun	
23	Mon	
24	Tues	
25	Wed	
26	Thurs	
27	Fri	
28	Sat	
29	Sun	
30	Mon	Bank Holiday
31	Tues	

## SEPTEMBER

01	Wed	
02	Thurs	
03	Fri	
04	Sat	
05	Sun	
06	Mon	
07	Tues	Planning Development Control and Licensing Committee
08	Wed	Environment , Housing and Community Panel
09	Thurs	
10	Fri	
11	Sat	
12	Sun	
13	Mon	
14	Tues	Business and Economic Development Panel
15	Wed	Highways Panel
16	Thurs	
17	Fri	
18	Sat	
19	Sun	
20	Mon	Group
21	Tues	
22	Wed	Policy, Performance and Resources Board
23	Thurs	
24	Fri	
25	Sat	
26	Sun	
27	Mon	Overview & Scrutiny Committee
28	Tue	AuditCommittee
29	Wed	
30	Thurs	

## OCTOBER

01	Fri
02	Sat
03	Sun
04	Mon
05	Tues
06	Wed
07	Thurs
08	Fri
09	Sat
10	Sun
11	Mon

12	Tues	Planning Development Control and Licensing Committee
13	Wed	
14	Thurs	
15	Fri	
16	Sat	
17	Sun	
18	Mon	Group
19	Tues	Standards Committee
20	Wed	Ordinary Council
21	Thurs	
22	Fri	
23	Sat	
24	Sun	
) 25	Mon	
Half Term) 26	Tues	
) 27	Wed	
) 28	Thurs	
) 29	Fri	
30	Sat	
31	Sun	

## NOVEMBER

01	Mon	
02	Tues	
03	Wed	
04	Thurs	
05	Fri	
06	Sat	
07	Sun	
08	Mon	
09	Tues	Highways Panel
10	Wed	Planning Development Control and Licensing Committee
11	Thurs	
12	Fri	
13	Sat	
14	Sun	Remembrance Sunday
15	Mon	
16	Tues	Business and Economic Development Panel
17	Wed	Environment, Housing and Community Panel
18	Thurs	
19	Fri	
20	Sat	
21	Sun	
22	Mon	
23	Tues	Audit Committee

24	Wed	
25	Thurs	
26	Fri	
27	Sat	
28	Sun	
29	Mon	Overview & Scrutiny Committee
30	Tues	

## DECEMBER

01	Wed	
02	Thurs	
03	Fri	
04	Sat	
05	Sun	
06	Mon	Group
07	Tues	Planning Development Control and Licensing Committee
08	Wed	Policy, Performance and Resources Board
09	Thurs	
10	Fri	
11	Sat	
12	Sun	
13	Mon	Group
14	Tues	
15	Wed	Ordinary Council
16	Thurs	
17	Fri	
18	Sat	
19	Sun	
20	Mon	
21	Tues	
22	Wed	
23	Thurs	
24	Fri	
25	Sat	Christmas Day
26	Sun	Boxing Day
27	Mon	
28	Tues	
29	Wed	
30	Thurs	
31	Fri	

**2011**

## JANUARY

01	Sat	New Years Day
----	-----	---------------

02	Sun	
03	Mon	
04	Tues	Audit Committee
05	Wed	
06	Thurs	
07	Fri	
08	Sat	
09	Sun	
10	Mon	
11	Tues	
12	Wed	Planning Development Control and Licensing Committee
13	Thurs	
14	Fri	
15	Sat	
16	Sun	
17	Mon	
18	Tues	
19	Wed	
20	Thurs	
21	Fri	
22	Sat	
23	Sun	
24	Mon	
25	Tues	
26	Wed	
27	Thurs	
28	Fri	
29	Sat	
30	Sun	
31	Mon	

## **FEBRUARY**

01	Tues	Environment , Housing and Community Panel
02	Wed	Highways Panel
03	Thurs	
04	Fri	
05	Sat	
06	Sun	
07	Mon	
08	Tues	Audit Committee
09	Wed	Business and Economic Development Panel
10	Thurs	
11	Fri	
12	Sat	
13	Sun	
14	Mon	Group

	15	Tues	Special Policy/Ordinary Council
	16	Wed	Planning Development Control and Licensing Committee
	17	Thurs	
	18	Fri	
	19	Sat	
	20	Sun	
)	21	Mon	
Half Term)	22	Tues	
)	23	Wed	
)	24	Thurs	
)	25	Fri	
	26	Sat	
	27	Sun	
	28	Mon	

## MARCH

01	Tues	Overview and Scrutiny Committee
02	Wed	Standards Committee
03	Thurs	
04	Fri	Civic Dinner
05	Sat	
06	Sun	
07	Mon	Group
08	Tues	Audit Committee
09	Wed	Policy, Performance and Resources Board
10	Thurs	
11	Fri	
12	Sat	
13	Sun	
14	Mon	Group
15	Tues	Planning Development Control and Licensing Committee
16	Wed	Ordinary Council
17	Thurs	
18	Fri	
19	Sat	
20	Sun	
21	Mon	
22	Tues	
23	Wed	
24	Thurs	
25	Fri	
26	Sat	
27	Sun	
28	Mon	
29	Tues	

30	Wed
31	Thurs

## APRIL

01	Fri
02	Sat
03	Sun
04	Mon
05	Tues
06	Wed
07	Thurs
08	Fri
09	Sat
10	Sun
11	Mon
12	Tues
13	Wed
14	Thurs
15	Fri
16	Sat
17	Sun
18	Mon
19	Tues
20	Wed
21	Thurs
22	Fri
23	Sat
24	Sun
25	Mon
26	Tues
27	Wed
28	Thurs
29	Fri
30	Sat

Planning Development Control and Licensing Committee

Good Friday

Easter Monday

## MAY

01	Sun
02	Mon
03	Tues
04	Wed
05	Thurs
06	Fri
07	Sat
08	Sun
09	Mon

Bank Holiday

Elections



10	Tues	
11	Wed	
12	Thurs	
13	Fri	
14	Sat	
15	Sun	
16	Mon	Group
17	Tues	
18	Wed	Annual Council
19	Thurs	
20	Fri	
21	Sat	
22	Sun	
23	Mon	
24	Tues	
25	Wed	Planning Development Control and Licensing Committee
26	Thurs	
27	Fri	
28	Sat	
29	Sun	
30	Mon	Bank Holiday
31	Tue	

## JUNE

1	Wed
2	Thurs
3	Fri
4	Sat
5	Sun
6	Mon
7	Tues
8	Wed
9	Thurs
10	Fri
11	Sat
12	Sun
13	Mon
14	Tue
15	Wed
16	Thurs
17	Fri
18	Sat
19	Sun
20	Mon
21	Tues
22	Wed

23	Thurs	
24	Fri	
25	Sat	
26	Sun	
27	Mon	
28	Tue	Planning Development Control and Licensing Committee
29	Wed	
30	Thurs	

DRAFT

## APPENDIX 8

### OUTSIDE ORGANISATIONS -2010/11

Name of Organisation	Council Representative	Term	Expiry of Term
<b>Names of Representatives who should be Members of the Council</b>			
Basildon & Thurrock Hospitals Trust	Cllr Mrs Davies	1 year	May-11
Brentwood Access Group	Cllr Mrs Pound	1 year	May-11
Brentwood and District Age Concern	Cllrs Mrs Henwood and Straw	1 year	May-11
Brentwood Arts Council	Cllr Mrs Brehaut	1 year	May-11
Brentwood Football Club Management Committee	Crs B Aspinell, Parker and Payne	1 year	May-11
Brentwood/Landkreis Roth Town Twinning Association	Cllrs Mrs Henwood, Mrs Hones and Straw + Mayor and Deputy Mayor	1 year	May-11
Brentwood Leisure Trust	Cllrs Hirst and Reed	1 year	May-11
	Cllrs Hossack, Le-Surf and Straw + Mayor and Deputy Mayor	1 year	May-11
Brentwood/Montbazon Town Twinning Association	Deputy Mayor	1 year	May-11
Brentwood MIND	Cllr Carter	1 year	May-11
Brentwood Rugby Club Pavilion Management Committee	Cllrs MacLellan, Mrs Sheehan and Payne	1 year	May-11
Brentwood Theatre Trust	Cllrs Baker and Mrs Brehaut	1 year	May-11
Brentwood Town Centre Renaissance Group	Crs Mrs McKinlay, Hirst, Baker, Kendall and Le-Surf	Indefinite	
Citizens Advice Bureau	Cllrs Mrs Henwood and Mrs Hones	1 year	May-11
Community Sports Network (Active Brentwood)	Cllr Lloyd	1 year	May-11
Community Transport Partnership	Cllrs Mrs Henwood and Lloyd	1 year	May-11
Council for Voluntary Service	Cllr Mrs Brehaut + the Mayor	1 year	May-11

County Commissioning Body for Supporting People	Cllr Mrs McGinley	1 year	May-11
East & West Horndon Village Hall Committee	Cllrs Ms L Golding and MacLellan	1 year	May-11
East of England Local Government Association	Leader of the Council	1 year	May-11
Essex Waste Management Joint Committee	Cllr Hirst, sub Cllr Mrs Pound	1 year	May-11
Friends of Country Parks	Cllrs Hirst and Miss Lewis; subs Cllrs Lloyd and Mrs Pound	1 year	May-11
Hutton Youth Project	Cllr Payne	1 year	May-11
Ingatestone & Fryerning Community Club	Cllr Mrs Hones	1 year	May-11
Local Government Association	Leader of the Council	Indefinite	
Museums in Essex Committee	Cllr Reed	1 year	May-11
Police Community Consultative Committee	Cllr Ms Golding	1 year	May-11
SNAP	Cllr Tee	1 year	May-11
Thames Chase Joint Committee	Cllrs Mrs Holmes, Straw and Tee	1 year	May-11
Three Arch Bridge Community Hall	Cllrs M Golding and Miss Lewis	1 year	May-11
Youth Arts Partnership	Cllr Mrs McGinley	1 year	May-11

**Representatives who need not be Members of the Council**

Brentwood Parochial Charities	Cllrs Mrs Brehaut, Mr Good, Mrs Hubbard	4-yearly	May-14
Conservators of Shenfield Common	Cllrs Lee, Lloyd, Sleep + replacement for Alick for Alick Grant, Mr W Baker and Mr J Fair	1 year	May-11
Council for the Protection of Rural England	Cllrs Mrs Holmes and MacLellan	1 year	May-11
Hartswood Golf Club	Cllrs Mrs Holmes and MacLellan	1 year	May-11
Headley Common Trustees	Cllrs Lloyd and Tee +Mr Wild and Mr Murray	4-yearly	May-14
Howard Memorial Trust	Cllr Ms L Golding	1 year	
Hutton Charities	Cllrs Braid and Payne	4-yearly	Cllr Braid May 2014 Cllr Payne May 2011
South Weald Parish Hall	Cllr Mrs Coe and Holmes	1 year	May-11

**LIST OF BACKGROUND PAPERS**

**LOCAL GOVERNMENT ACT 1972 (AS AMENDED)**

**COMMITTEE:**        **ANNUAL COUNCIL**

**DATE:**                **19<sup>TH</sup> MAY 2010**

**AGENDA ITEM & BACKGROUND DOCUMENTS**

1.    **APOLOGIES FOR ABSENCE**  
None
2.    **MAYOR'S ANNOUNCEMENTS AND PRESENTATIONS**  
None
3.    **ELECTION OF MAYOR**  
None
4.    **APPOINTMENT OF DEPUTY MAYOR**  
None
5.    **LEADER OF THE COUNCIL**  
None
6.    **APPOINTMENT OF POLICY BOARD, EXECUTIVE PANELS AND COMMITTEES**  
Section 15 Local Government Act 1989  
Appendices 1, 2 and 3 - Annual Council agenda 19.5.10
7.    **STANDING GROUPS AND BOARDS**  
Appendix 4- Annual Council agenda 19.5.10
8.    **APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN OF THE POLICY BOARD, EXECUTIVE PANELS, COMMITTEES AND STANDING GROUPS BOARDS ETC FROM THOSE APPOINTED TO THEM**  
Appendix 5 – Annual Council agenda 19.5.10
9.    **MEMBERS' ALLOWANCES 2009/10**  
Min 439, Ordinary Council 30.9.2003  
Min 12, Annual Council 23.6.2004  
Min 576, Special Policy Board 25.2.09  
Min 586, Ordinary Council meeting 25.2.09  
Appendix 6 – Annual Council agenda 19.5.10

**AGENDA ITEM & BACKGROUND DOCUMENTS**

10. **MEMORIALS OR PETITIONS**  
None
11. **QUESTIONS**  
None
12. **DAY AND HOUR OF MEETINGS**  
Appendix 7 – Annual Council agenda 19.5.10
13. **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE ORGANISATIONS**  
Appendix 9 – Annual Council Agenda 19.5.10
14. **NOTICES OF MOTION**  
None
15. **URGENT BUSINESS**  
None